



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
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**IN THE MATTER OF GRIEVANCE NO. K/E/507/602 OF 2011-2012 OF**  
**SMT. MEERABAI LALCHAND MULTANI REGISTERED WITH CONSUMER**  
**GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT**  
**EXCESSIVE ENERGY BILL .**

Smt. Meerabai Lalchand Multani  
Shop No. 60,  
Opp. Aman Talkies,  
Ulhasnagar : 3, Dist : Thane

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Ulhasnagar Sub-Division - 3

(Here-in-after  
referred  
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the

grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T.-V consumer of the licensee. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 26/05/2011 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Smt. Meerabai Lalchand Multani

Address: - As given in the title

Consumer No : - 021510448721

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/330 dated 26/05/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/KC-II/Tech/2600, dated 13/06/2011.
- 4) The hearing was held on 13/06/2011 @ 16.00 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Ravi Anand, Rohit Jadhav representatives of the consumer, Shri Laxman Motwani Consumer & Shri Purohit Nodal Officer, Shri C. S. Damse, Dy. Ex. Engr., Shri V. H. Kashal, Asstt. Engr. representatives of the licensee attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.

- 5) The consumer has taken electricity connection to the premises from the Distribution Licensee (DL) in the year 1987. It is contended that the new Meter No. 9324792 was installed in the premises on 24/05/2010 and accordingly consumer was paying electricity bill till September 2010. It is further contended that inspite consumer was paying electricity bill regularly licensee raised and issued energy bill of excessive amount dated 17/09/2010 of Rs. 4,16,285/- for consumption of 65790 units alleging there was theft of electricity. It is contended since meter was installed on 24/05/2010 recovery cannot be for two years and that recovery of more than two years is beyond limitation and that assessment is wrong and on these grounds the bill under dispute being unreasonable needs to be revised. Consumer by letter dated 15/12/2010 requested the licensee to revise the bill but not responded. Consumer moved the I.G.R. Cell but in vain hence the grievance to direct the licensee to revise the bill under dispute.
- 6) Licensee filed reply dated 13/06/2011 contending that the Flying Squad Kalyan during the inspection on 15/09/2010 found the consumer indulged in theft of electricity by providing switch for the neutral in incoming cable of meter thereby the meter could not record consumption. Dy. Executive Engineer Flying Squad prepared panchanama of the meter and the position in the presence of panchas and lodged F.I.R. No. II/3327 with Tejashree Kalyan Police Station on 18/09/2010 and registered the case of theft under Section 135 of Indian Electricity Act pending before the Court therefore this Forum has no jurisdiction to entertain and decide the grievance vide Clause 6.8 (b) of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

It is further contended as per the report of the Flying Squad Kalyan dated 16/09/2010 bill of the amount under dispute i.e. assessment period = 24 months with net assessed units = 65790 correctly raised and issued and the consumer is liable to pay the same.

- 7) We have gone through the documents placed on record. Panchanama dated 15/09/2010 mentions a switch for the neutral in incoming cable of meter was provided thereby the meter could not record consumption and that it was the case of theft of electricity. Report dated 18/09/2010 lodged by the Dy. Executive Engineer with Tejashree Police Station Kalyan clearly point out intentionally by providing switch for the neutral consumer committed theft of electricity. Learned representative for the consumer submitted that new meter was installed on 24/05/2010 and the bill is for the period more than two years based on wrong assessment and therefore it needs to be revised.
- 8) As stated above bill under dispute pertain to theft of electricity detected on 15/09/2010 for which Dy. Executive Engineer lodged F.I.R. and the Police have registered C.R. No. II - 3327 of the offence under Section 135 of the Electricity Act pending before the Court. This prima facie shows bill under dispute concern to the theft case under Section 135 of the Electricity Act and the grievance referred to it falls within the purview of the provisions of the offence and penalty as provided under Section 135 of the Electricity Act. Since grievance falls within the purview of Section 135 of Electricity Act, excludes the jurisdiction of this Forum vide Clause 6.8 (b) of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006. In view of

this the Forum has no jurisdiction to entertain the grievance and it deserves to be disposed off and hence the order :

**O-R-D-E-R**

- 1) The grievance application stands disposed off for want of jurisdiction vide Clause 6.8 (b) of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.
- 2) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.*

Date : 14/06/2011

Mrs. S.A. Jamdar)  
Member  
CGRF Kalyan

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan